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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-29 and 31-43 have been rejected. Applicants noted that claim 30 was inadvertently omitted from the listing of claims as filed. It is noted that claim 30 is identified as "cancelled" in this submission.

Claims 1-3, 5-6, 8-12, 15-29, 34-39, 43-46 are pending in the application.

Claims 1, 5, 6, 15, 17-18, 24, 26- 29, 35, 39 and 43 have been amended.

Claims 4, 7, 13-14, 31-33 and 40-42 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

New claims 43-46 have been added in order to further define what the Applicants consider to be the invention. Applicants respectfully assert that no new matter has been added.

Remarks to the Specification

The amendments to the specification are editorial in nature and do not introduce new matter.

CLAIM OBJECTIONS

In the Office Action, the Examiner objected to claims 5-6 and 39.

The Examiner suggested replacing the abbreviated term CTI with "CTI (Computer Telephony Integration). Applicant has included the phrase "computer telephony integration (CTI) metadata" in amended claim 1, and therefore it is not required to amend claim 5.

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The Examiner suggested modifying the abbreviated term CRM. Applicants amended claim 6 to include "a client relationship management (CRM) data".

Claim 39 was amended to correct a typographical error indicated by the Examiner.

Accordingly, Applicants request withdrawal of the objections of claim 5, 6 and 39.

CLAIM REJECTIONS

35 U.S.C. § 101 Rejections

In the Office Action, the Examiner rejected claims 27-43 under 35 U.S.C. § 101 as directed to non-statutory subject matter.

The Examiner contended that the claims lack necessary physical articles or objects to constitute a machine. Without consenting to the appropriateness of the rejection, Applicants have amended claims 27 and 43 to include "an input source to deliver a stream of audio or video data related to a communication over a communication network" and "a plurality of storage devices". Therefore, claims 27 and 43 are directly statutory subject matter.

Each of claims 28-29 and 34-39 depends from, directly or indirectly, claim 27, and therefore includes all the limitations of the claim. Therefore, Applicants respectfully assert that claims 28-29 and 34-39 are likewise directed to statutory subject matter.

Accordingly, Applicants respectfully request that the rejection of claims 27-43 under 35 USC §101 be withdrawn.

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1, and 3-43 under 35 U.S.C. § 102(e), as being anticipated by Ignatius et al. (US 6,542,972) (herein after "Ignatius").

Applicants respectfully assert that Ignatius does not teach all the features of amended independent claims 1, 27, and 43 and therefore cannot anticipate claims 1, 27 and 43 and the claims dependent thereon.

Amended independent claim 1 includes:

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"receiving a stream of audio or video data related to a communication over a communication network; receiving computer telephony integration (CTI) metadata information associated with the communication; automatically analyzing the content of the audio or video data to determine at least one characteristic of the content; generating metadata associated with the at least one characteristic of the automatically analyzed content".

Amended independent claim 27 includes:

"an input source to deliver a stream of audio or video data related to a communication over a communication network; a computer telephony integration (CTI) server to provide CTI metadata information associated with the communication; an analysis module ... to generate metadata associated with the at least one characteristic of the analyzed content".

Amended independent claim 43 includes:

"an input source to deliver a stream of audio or video data related to a communication over a communication network; a client relationship management (CRM) server to provide CRM metadata input associated with the communication; an analysis module ... to generate metadata associated with the at least one characteristic of the analyzed content".

Applicants respectfully assert that Ignatius does not teach, at least, the above recited elements of claims 1, 27 and 43.

Ignatius teaches a computer storage system that includes a processor that support operation of a software application and stores data generated by the software application into a plurality of storage media (see col. 1, lines 40-44). Ignatius does not disclose "receiving a stream of audio or video data related to a communication over a communication network" as recited by claim 1 and in paraphrase by claims 27 and 43.

Further, Ignatius does not disclose "receiving CTI metadata information associated with the communication", as recited by claim 1 and in paraphrase by claim 27. Computer telephony or CTI metadata information are both related to contact centers environments and are known to add computer intelligence to making, receiving and managing communication sessions such as telephone calls, fax messages and e-mails. Contrary to the Office action's contention with respect to original claim 5, Ignatius does not teach any CTI server data.

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Further, contrary to the Office action's contention with respect to original claim 6, Ignatius does not disclose "a client relationship management (CRM) server to provide CRM metadata input associated with the communication", as recited by claim 43.

Further, Ignatius does not teach "generating metadata associated with the at least one characteristic of the automatically analyzed content", as recited by claim 1 and in paraphrase by claims 27 and 43. Rather, Ignatius discloses examining data for particular characteristics and using the particular characteristics to select a particular storage policy without any generation of metadata (see col. 2, lines 40-45).

Accordingly, Applicants respectfully assert that amended independent claims 1, 27 and 43 are allowable. Each of claims 3, 5-6, 8-12, 15-26, 28-29 and 34-39 depends from, directly or indirectly, one of claims 1 and 27, and therefore includes all the limitations of those claims. Therefore, Applicants respectfully assert that claims 3, 5-6, 8-12, 15-26, 28-29 and 34-39 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to amended independent claims 1, 27 and 43 and to claims 3, 5-6, 8-12, 15-26, 28-29 and 34-39 dependent thereon.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claim 2 under 35 U.S.C. § 103(a), as being unpatentable over Ignatius et al. (US 6,542,972) in view of Wilde (US 5,991,753).

As discussed above, amended independent claim 1 is patentable over Ignatius. Wilde does not cure the deficiencies of Ignatius as it does not teach or suggest at least "receiving a stream of audio or video data related to a communication over a communication network; receiving computer telephony integration (CTI) metadata information associated with the communication; automatically analyzing the content of the audio or video data to determine at least one characteristic of the content; generating metadata associated with the at least one characteristic of the automatically analyzed content", as recited by claim 1.

Claim 2 depends from claim 1 and includes all the features of the claim as well as additional distinguishing features, and is therefore allowable.

In view of the above, Applicants respectfully request that the rejections under 35 U.S.C. §103(a) of dependent claim 2 be withdrawn.

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Conclusion

In view of the foregoing amendments and remarks, the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



Zeev Pearl
Attorney/Agent for Applicant(s)
Registration No. 60,234

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Pearl Cohen Zedek Latzer, LLP
1500 Broadway, 12th Floor
New York, New York 10036
Tel: (646) 878-0800
Fax: (646) 878-0801